

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 7
)
LEE B. CUMMINGS,) **CASE NO. 17-08309**
)
Debtor.) Honorable LaShonda A. Hunt
)
) **Hearing Date: November 7, 2019**
) **10:00 a.m.**
)

**NOTICE OF MOTION TO DISMISS DEBTOR WITH NOTICE
UNDER LOCAL RULE 2002-1 AND VACATE DISCHARGE ORDER**

PLEASE TAKE NOTICE that on Thursday, November 7, 2019, at 10:00 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable LaShonda A. Hunt, or any judge who may be sitting in her place and stead in Courtroom 719 at the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois, and present the Trustee's **MOTION TO DISMISS DEBTOR WITH NOTICE UNDER LOCAL RULE 2002-1 AND VACATE DISCHARGE ORDER**. A copy of the **MOTION** is attached hereto and hereby served upon you. You may appear at that time and place if you so desire.

RONALD R. PETERSON, not individually
but as Trustee of the Chapter 7 Estate of
Lee B. Cummings

By: /s/ Ronald R. Peterson
Ronald R. Peterson

Ronald R. Peterson (02188473)
JENNER & BLOCK LLP
353 North Clark Street
Chicago, IL 60654-3456
Telephone: (312) 222-9350
Facsimile: (312) 840-7381
Email: rpeterson@jenner.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 7
)
LEE B. CUMMINGS,) **CASE NO. 17-08309**
)
Debtor.) Honorable LaShonda A. Hunt
)
) **Hearing Date: November 7, 2019**
) **10:00 a.m.**
)

**MOTION TO DISMISS DEBTOR WITH NOTICE
UNDER LOCAL RULE 2002-1 AND VACATE DISCHARGE ORDER**

RONALD R. PETERSON, not individually but as interim chapter 7 trustee (the “Trustee”) of the estate of Lee B. Cummings (the “Debtor”), respectfully requests that the Court enter an order pursuant to Local Rule 2002-1, dismissing the Debtor’s bankruptcy case, and vacating the Court’s Order of Discharge entered on September 9, 2019, and states:

1. The first meeting of creditors in this chapter 7 case was scheduled for August 19, 2019.
2. The Debtor failed to appear at the first meeting of creditors, and the Trustee continued the meeting to his September 9, 2019, meeting date. A copy of the Trustee’s letter notifying the Debtor of the continued meeting, dated August 26, 2019, is attached hereto as Exhibit A.
3. The Debtor failed to appear at the continued meeting.
4. Cause exists to dismiss the Debtor’s chapter 7 bankruptcy case because of the Debtor’s failure to attend his first meeting of creditors. This failure to appear has caused unreasonable delay in the case.

WHEREFORE, the Trustee respectfully requests the Court to enter an order:

- A. Dismissing the Debtor's chapter 7 case; and
- B. Granting such other and further relief as the Court deems just and equitable.

Respectfully submitted,

RONALD R. PETERSON, not individually
but as Trustee of the Chapter 7 Estate of
Lee B. Cummings

By: /s/ Ronald R. Peterson
Ronald R. Peterson

Ronald R. Peterson (02188473)
JENNER & BLOCK LLP
353 North Clark Street
Chicago, IL 60654-3456
Telephone: (312) 222-9350
Facsimile: (312) 840-7381
Email: rpeterson@jenner.com

EXHIBIT A

353 NORTH CLARK STREET CHICAGO ILLINOIS 60654-3456

J E N N E R & B L O C K LLP

August 26, 2019

Ronald R. Peterson
Tel +1 312 923 2981
Fax +1 312 840 7381
rpeterson@jenner.com

Rachel S. Sandler
Gregory K. Stern, P.C.
53 West Jackson Boulevard
Suite 1442
Chicago, IL 60604

Re: *In re Lee B. Cummings*, Case No. 17-08309

Dear Rachel:

This letter is to notify you of the continued § 341 meeting of your client, Lee B. Cummings, scheduled for September 9, 2019, 11:30 a.m., at 219 South Dearborn Street, Room 800, Chicago, Illinois. Please instruct your client to bring valid identification, such as a driver's license or a state identification card, and the original or a copy of his social security card. If your client does not appear at the continued meeting, I shall file a motion requesting the Court to dismiss his bankruptcy case.

Very truly yours,



Ronald R. Peterson

RRP:lh

cc: Lee B. Cummings